

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Masaaki NAKAHARA et al.

Confirmation No. : 1788
Group Art Unit: 1615

Serial No : 10/598,894
(National Stage of PCT/JP2005/004600)

Examiner: Hasan S. AHMED

I.A. Filed : March 16, 2005

For : METHOD FOR PRODUCING CALCIUM COMPONENT
POWDER CONTAINING OIL-SOLUBLE SUBSTANCE

ELECTION

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This is in response to the requirement for restriction under 35 U.S.C. § 121 and § 372 mailed from the U.S. Patent and Trademark Office on February 14, 2008.

Inasmuch as the one-month shortened statutory period for reply is set in the Office Action to expire on March 14, 2008, this response is being filed by the initial due date for response. However, if any extension of time is necessary, this is an express request for any necessary extension of time and authorization to charge any required extension of time fee or any other fees which may be required to preserve the pendency of the present application to Deposit Account No. 19-0089.

RESTRICTION REQUIREMENT

The Examiner has required restriction under 35 U.S.C. § 121 And 372 to one of the following inventions:

- I Claim 1, drawn to a method for producing a powder containing an oil-soluble substance.
- II Claims 1 and 2, drawn to a method for producing a powder containing an oil-soluble substance using a sub-base.
- III Claims 1 and 3, drawn to a powder containing an oil-soluble substance.
- IV Claim 4, drawn to a powder containing an oil-soluble substance, wherein the oil soluble substance is absorbed to calcium component particles.
- V Claims 1, 2 and 5, drawn to a powder containing an oil-soluble substance and a sub-base.


ELECTION

In order to be responsive with the restriction requirement, Applicants elect, without traverse, the invention set forth in **Group II, claims 1 and 2**, drawn to a method for producing a powder containing an oil-soluble substance using a sub-base.

Applicants note the citation of Hiroyuki and expressly reserve the right to present arguments in response to any art-based rejections in due course.

Should there be any questions, the Examiner is respectfully invited to contact the undersigned at the telephone number below.

Respectfully submitted,
Masaaki NAKAHARA et al.


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